



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, SEPTEMBER 15, 2004

10:00 a.m.
City Council Chambers
Room 205
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **September 15, 2004**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- ? Hearing Officer will identify the project as described on the agenda
- ? Staff report
- ? After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- ? Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- ? After the public testimony, the applicant may make closing remarks of up to 5 minutes
- ? The Hearing Officer may ask questions of the speaker
- ? The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **V04-009. Development Variance** to allow a parking reduction where the existing driveway is less than 10 feet in width for a single-family residence on a 0.12 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the north side of Emory Street, approximately 150 feet easterly of Dana Avenue (1585 EMORY ST) (Janke, Edward J and Leslie A B Trustee, Owner). Council District 6. SNI: None. CEQA: Exempt
- b. **PT03-096. Planned Tentative Map Permit** to subdivide one parcel into 59 lots for 56 single-family detached residential and open space purposes located on the southwest corner of Woodglen Drive and Campbell Avenue on a 5.39 gross acre site in the A(PD) Planned Development Zoning District (Moreland School District, Owner; Summerhill Homes, Developer). Council District 1. SNI: None. CEQA: Mitigated Negative Declaration (File No. PDC03-076).

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR04-072. Tree Removal Permit** to remove one Italian Stone Pine tree 98 inches in circumference and one Aleppo Pine tree 135 inches in circumference on a 0.45 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at/on the 1475 Lupton Avenue (McClellan Rebecca Trustee & Et Al, Owner). Council District 6. CEQA: Exempt.

- b. **TR04-082. Tree Removal Permit** to remove one Redwood tree 180 inches in circumference on a 0.18 gross acre site in the R-2 Residence Zoning District, located at 3315 Moorpark Avenue (3314 MOORPARK AV). Council District 1. CEQA: Exempt.
- c. **TR04-090. Tree Removal Permit** to remove two Canary Island Date Palm trees (120 inches in circumference) on a 0.17 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 915 McKendrie Street (Miles Lisa K and Lin Timothy, Owner). Council District 6. CEQA: Exempt.
- d. **H03-045. Site Development Permit** to construct an approximate 2,100 square-foot office building on a 0.19 gross acre site in the CO Office Commercial Zoning District, located at the northwest corner of North Jackson Avenue and Mammoth Drive (Starr, Ortance V and Marion J Trustee, Owner). Council District 5. SNI: None. CEQA: Exempt. Deferred from 9/8/04.
- e. **PD04-044. Planned Development Permit** to allow a 7,329 square-foot single-family detached residence with a 1,943 square-foot attached garage (.06 F.A.R.) on a 2.6 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Blackpool Court approximately 1,500 feet southerly of Country Club Parkway (6107 Blackpool Court) (Brunetti Richard & Donna, Owner). Council District 8. SNI: None. CEQA: Use of Silver Creek Country Club EIR Resolution No. 61784. Deferred from 9/8/04.
- f. **PD03-061. Planned Development Permit** to construct 56 single-family detached residences located on the southwest corner of Woodglen Drive and Campbell Avenue on a 5.39 gross acre site in the A(PD) Planned Development Zoning District (Moreland School District, Owner; Summerhill Homes, Developer). Council District 1. SNI: None. CEQA: Mitigated Negative Declaration (File No. PDC03-076).

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **HP03-004. Historic Preservation Permit** to allow the rehabilitation of the Crydenwise building (27 Fountain Alley, City Landmark No. HL92-64) as part of a 27,955 square foot office/retail project involving five other buildings, in the DC Downtown Commercial Zoning District, located on the north side of Fountain Alley approximately 120 feet easterly of South Second Street (Kotansky Properties, owner). Council District: 3. SNI: None. CEQA: Mixed-Use Project, Century Center Expansion EIR and Addendum thereto, Resolution No. 71039. Deferred from 9/8/04.
- b. **SP04-025 & V04-004. Special Use Permit** to allow a nine-car garage accessory structure containing approximately 2,000 square feet on a 1.47 gross acre site, and Development Variance to allow the accessory structure height to exceed 16 feet in the R-1-8 Single-Family Residence Zoning District, located at the south side of Margaret Street approximately 240 feet easterly of South 15th Street. Council District 3. SNI: University. CEQA: Exempt. Deferred from 9/8/04.

- c. **PDA02-035-01. Planned Development Permit Amendment** request to allow for the removal of one Walnut tree 113 inches in circumference on a 0.25 gross acre site in the A(PD) Planned Development Zoning District, located on the west side of Ringwood Avenue approximately 120 feet southerly of McKay Drive (1743 RINGWOOD AV) (Seet Anna P Trustee & Et Al, Owner). Council District 4. CEQA: Exempt.
- d. **H02-023. Site Development Permit** request to allow a 12,155 square foot industrial building and demolish an existing 8,000-square-foot structure on a 2.0 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of Oakland Road, at the intersection of Rock Avenue (2050 OAKLAND RD) (Anderson Vernon L And Marjorie L Et Al, Perdue Louetta M and Aaron F Trustee, Owner). Council District 4. SNI: None. CEQA: Exempt.
- e. **HA00-088-01. Site Development Permit Amendment** to allow for the removal of 13 Ash trees, ranging in size from 58 to 86 inches in circumference on a 3.4 gross acre site in the IP Industrial Park Zoning District, located on the northeast corner of McKay Drive and Ringwood Avenue (1101 MCKAY DR) (Philips Semiconductor Charles Moler, Owner). Council District 4. CEQA: Exempt.
- f. **PD04-059. Planned Development permit** to allow master grading for a future 2.8 million square foot research and development/office headquarters (BEA Systems) on a 40.92 gross acre site in the IP(PD) Planned Development Zoning District, located on the west side of North First Street on both sides of Component Drive (2347 North First St.) BEA Systems, applicant/ABN Armo Leasing, owner). Council District 4. CEQA: Use of a Final EIR for the BEA Development Project.

This concludes the Planning Director's Hearing for September 15, 2004. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.ci.san-jose.ca.us/planning/sjplan/Hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

September 8, 2004

1. DEFERRALS

- | | | |
|----|---------------|------------------|
| a. | HP03-004 | Defer to 9/15/04 |
| b. | H03-045 | Defer to 9/15/04 |
| c. | PDA91-006-069 | Defer to 9/22/04 |
| d. | PD04-044 | Defer to 9/15/04 |

2. CONSENT CALENDAR

- | | | |
|----|-------------------|----------|
| a. | TR04-069 | Approved |
| b. | TR04-071 | Approved |
| c. | TR04-073 | Approved |
| d. | TR04-074 | Approved |
| e. | TR04-078 | Approved |
| f. | V04-007 | Approved |
| g. | PDA03-032-01 | Approved |
| h. | PD04-051/HP04-005 | Approved |
| i. | PDA98-016-06 | Approved |
| j. | PD04-042 | Approved |
| k. | H04-027 | Approved |
| l. | HA99-050-02 | Approved |
| m. | HA79-096-02 | Approved |
| n. | HA88-188-01 | Approved |
| o. | SP04-028 | Approved |
| p. | H04-040 | Approved |
| q. | PD03-039 | Approved |

3. PUBLIC HEARINGS

- | | | |
|------|------------------|------------------|
| a.1. | PD04-029 | Approved |
| a.2. | PT04-038 | Approved |
| b.1. | PD04-027 | Approved |
| b.2. | PT04-034 | Approved |
| c. | PD04-012 | Denied |
| d. | SP04-035 | Approved |
| e. | PDA87-071-01 | Approved |
| f. | H03-027 | Approved |
| g. | SP04-025/V04-004 | Defer to 9/15/04 |
| h. | SP04-030 | Approved |
| i. | H04-025 | Approved |
| j. | TR02-123 | Denied |
| k. | TR04-085 | Approved |
| l. | TR04-086 | Approved |